IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

FRIDAY, THE 13TH APRIL 2007 / 23RD CHAITHRA 1929

WP(C).No. 12262 of 2007(I)

PETITIONER:

I.C.SHANIL KUMAR, S/O.CHANDRAN,
IRUDUKAVIL HOUSE, KALADITHARA, EDAPPAL,
MALAPPURAM DISTRICT.

BY ADV. SRI.MILLU DANDAPANI

RESPONDENT:

THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
MALAPPURAM.

BY GOVT. PLEADER SMT.N.SUDHADEVI.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 13/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX(WPC 12262/2007)

PETITIONER'S EXT.

EXT.P1 - TRUE COPY OF TIMINGS ISSUED ON 24.6.1994 BY THE RESPONDENT FOR STAGE CARRIAGE KEH 5425 ON THE ROUTE KUTTIPPURAM – GURUVAYUR.

EXT.P2 - TRUE COPY OF TEMPORARY PERMIT DATED 23.7.2001 ISSUED BY THE RESPONDENT TO THE PETITIONER.

EXT.P3 - TRUE COPY OF JUDGMENT DATED 27.10.2004 IN W.P.(C) NO.29873/2004 OF THIS HONOURABLE COURT.

EXT.P4 - TRUE COPY OF PERMIT ISSUED TO THE PETITIONER BY THE RESPONDENT FOR THE PERIOD FROM 13.12.2004 UP TO 1.1.2005.

EXT.P5 - TRUE COPY OF PERMIT ISSUED TO THE PETITIONER BY THE RESPONDENT FOR THE PERIOD FROM 7.1.2005 UP TO 26.1.2005.

EXT.P6 - TRUE COPY OF JUDGMENT IN MVAA 647/2005 DATED 9.3.2006 OF THE STAT, ERNAKULAM.

EXT.P7 - TRUE COPY OF REPRESENTATION DATED 12.3.2007 SUBMITTED BY THE PETITIONER BEFORE THE SECRETARY.

/TRUE COPY/

K.BALAKRISHNAN NAIR, J.

W.P.(C) NO. 12262 OF 2007-I

JUDGMENT

The petitioner applied for a regular permit on the route Kuttippuram – Guruvayur. The said application was rejected by the R.T.A., Malappuram by decision dated 20.10.2005. On appeal, the S.T.A.T., by Ext.P6 judgment, ordered to grant the permit, subject to settlement of timings. The petitioner submits, pursuant to the said judgment of the S.T.A.T., the R.T.A., which met on 24.1.2007, granted the permit as applied for. He has submitted Ext.P7 representation, praying to issue the permit after settling the time schedule. Thereafter, this writ petition is filed, seeking appropriate reliefs.

2. Though notice was served by special messenger, the learned Government Pleader submits, no instruction has been furnished by the respondent. The respondent is directed to settle the time schedule and issue the permit granted by the R.T.A., Malappuram by decision dated 24.1.2007, under additional item No.18 within two months from the date of production of a copy of this judgment. While settling the time schedule the petitioner's claim for granting the time schedule stated in Ext.P7, based on which he is

presently operating, shall also be taken into account.

The Writ Petition is disposed of as above.

13th April, 2007. K.BALAKRISHNAN NAIR, JUDGE

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